



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

D. Herke

Application No.: **10/809,941**

Filed: **March 24, 2004**

For: **CONTROL DEVICE**

**MS MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 23, 2004  
By: *Carol Prentice*  
Carol Prentice

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicant wishes to call the attention of the Examiner to the following references:

**U.S. PATENT(S) :**

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
5,420,532	Teggatz et al.	May 30, 1995

**FOREIGN PATENT DOCUMENT(S) :**

<u>Country</u>	<u>No.</u>	<u>Date of Publication</u>
Germany	197 43 346	Apr 08, 1999
Germany	198 14 681	Oct 14, 1999
Germany	199 41 488	Mar 15, 2001

The references listed above were cited by the International Examiner in the Search Report (copy enclosed) of Applicant's counterpart international patent application no. PCT/EP02/10725 (MPEP §2001.06(a)).

An English language abstract is attached to DE 199 41 488.

DE 197 43 346 has an English language counterpart, namely U.S. Patent No. 6,181,171.

DE 198 14 681 has an English language counterpart, namely U.S. Patent No. 6,222,356.

**OTHER FOREIGN PATENT DOCUMENT(S) :**

<u>Country</u>	<u>No.</u>	<u>Date of Publication</u>
EPO	0 855 799	Jul 29, 1998

The reference listed above was cited by the German Examiner in Applicant's counterpart German patent application 101 49 390.8 (MPEP §2001.06(a)).

EP 0 855 799 has an English language counterpart, namely, U.S. Patent No. 5,977,743.

**OTHER U.S. PATENT(S) :**

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
5,977,743	Flock	Nov 02, 1999
6,181,171	Graf et al.	Jan 30, 2001
6,222,356	Taghizadeh-Kaschani	Apr 24, 2001

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Copies of the above-listed foreign references are enclosed, together with a completed form PTO-1449.

Consideration of these references by the Examiner is respectfully requested. To date, a first Office Action on the merits has not been received in connection with this application. This Information Disclosure Statement is therefore believed to be timely filed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

  
\_\_\_\_\_  
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**Date: November 23, 2004**  
**ATTORNEY DOCKET NO.: HOE-810**

<b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>ATTY. DOCKET NO.:</b> HOE-810		<b>SERIAL NO.:</b> 10/809,941			
		<b>APPLICANT(S):</b> D. Herke					
		<b>FILING DATE:</b> March 24, 2004		<b>GROUP:</b>			
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER INITIAL</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB-CLASS</b>	<b>FILING DATE</b>
	AA	5,420,532	05/30/1995	Teggatz et al.			
	AB	5,977,743	11/02/1999	Flock			
	AC	6,181,171	01/30/2001	Graf et al.			
	AD	6,222,356	04/24/2001	Taghizadeh-Kaschani			
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUB-CLASS</b>	<b>TRANSLATION YES NO</b>
	AE	197 43 346	04/08/1999	Germany			
	AF	198 14 681	10/14/1999	Germany			
	AG	199 41 488	03/15/2001	Germany			
	AH	0 855 799	07/29/1998	EPO			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>					
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							